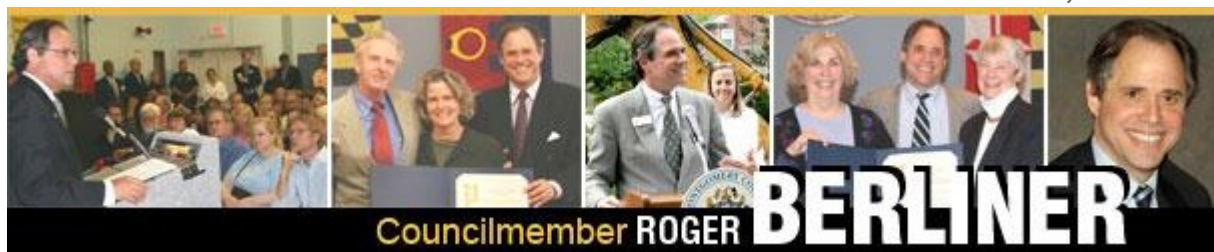




December 20, 2010



The Berliner Brief

Dear District 1 Residents and Friends,

Brrrr. Am I the only one that is already tired of feeling cold? And winter hasn't even officially begun! Oh well. No use complaining. Just stay warm and if you are lucky to have a nice fireplace, huddle around it and stay toasty. And if you have family joining you for the holidays, then hopefully that will warm your heart too.

Earlier this month, my colleagues, including two new members, Hans Reimer and Craig Rice, were sworn in as part of the 17th County Council. As you would imagine, we have our work cut out for us in this difficult economic climate. But, as I said about the cold, there is no use complaining. It is what it is and we just have to roll up our sleeves and do the best we can with what we have. We have lessand we will have to do less. That's the "new normal" and adjusting to it will be a challenge for all of us.

We have begun that work already in our very first Council session, reforming the way in which disputes between our government employees and the county are resolved by an arbitrator, ensuring that the County's ability to pay is in fact given top priority, a common sense reform that hadn't been the case previously. We have also been given a road map by our excellent Office of Legislative Oversight on the need to reform our pension and benefit packages, costs that are spiraling out of control. And finally, at the end of next month, the Organizational Reform Commission that I sponsored will be reporting on its recommendations as to how to make our government more efficient.

In the meantime, my colleagues unanimously selected me as to serve as Council President Ervin's Vice President, and I now have the responsibility of chairing the Transportation, Infrastructure, Energy & Environment Committee. I am obviously pleased by both assignments and I hope you are too.

Well, enough of this "introduction." Below you will find more not so "brief" commentary and information on issues affecting our community.

Take care and Happy Holidays and Happy New Year to you and yours. I'll be back in touch in 2012.

Sincerely,

Roger Berliner
District 1

Looking Ahead as Chair of the Transportation, Infrastructure, Energy and Environment Committee

I am looking forward to my tenure as Chair of our Council's Transportation, Infrastructure, Energy & Environment Committee (T&E for short). Every one of these issues are critical to our county's quality of life and a sustainable future.

I am particularly excited by the prospect of putting my shoulder to the wheel on our transportation issues (excuse the pun). In my view, we are not where we need to be, where other local governments are, when it comes to mass transit options. Our goal should be to be at the very top rung of the ladder when it comes to transit. It is the foundation to our quality of life and our economic future.



In the months and years ahead, I will be focused on helping to usher in a new ten-year transportation plan, as it has been almost ten years since our last ten-year plan was put together in 2002. I see this as an opportunity to refocus and recommit to transit, making it more desirable and more dependable, that could not have come at a better time. Recently released Census data reveals that [more Washington-area commuters are utilizing transit](#), and I believe this is the right moment to both continue to serve the population of current transit riders but also make it a better option for those who rarely or never choose transit. Increased ridership is critical to our ability to continue to improve these transit systems and

our quality of life.

We will look at **Metro**, both "governance" issues that have hampered the effectiveness of this multi-jurisdictional entity as well as quality of service issues (fix the escalators!) and safety; **Ride-On**, to see the extent to which we have implemented "best practices" and whether there are practices, such as queue jumping and more express buses that we should consider; **Bus Rapid Transit**, a concept championed by my colleague Councilmember Elrich that has tremendous potential; **Complete Streets**, a [concept](#) formally embraced by our neighboring jurisdictions that places a higher priority on pedestrians; and the state's essentially bankrupt **Highway Transportation Fund**, which, in its current state, could turn our dreams of a transit future into just another fantasy if the state fails to properly fund it.

In my next newsletter, I will share my thoughts on the other areas of the Committee's jurisdiction: **Infrastructure**, which means protecting our WSSC water mains and the quality of our water, among other things; **Energy**, which means continuing to work to ensure that the Maryland Public Service Commission requires PEPCO to provide the level of reliability our community expects and deserves; and **Environment**, which means continuing our good work at the local level in forging a sustainable future for our community and our planet.

Fiscal Outlook

Over the past few years, we have done much to reduce county spending in response to the most serious economic downturn since the Great Depression. We have closed budget gaps of \$2.2 billion over the last four years in order to meet our balanced budget requirements. Last year, we actually reduced spending below the prior year's level for the first time in 40 years. County government tax-supported spending this year is 7 percent less than last year. None of us are getting raises - whether cost-of-living or length of service. And all of us, including Councilmembers, are taking furlough days.

Our difficulties are not easing. The economic turnaround we need has not yet arrived. State income tax revenues, paid to the County, are coming in tens of millions below our already downwardly adjusted projections. The State of Maryland is facing a \$1.6 billion deficit and they are threatening to solve their problems by compounding ours. For example, they are seriously considering shifting state teacher pension obligations back to us, which would have a profoundly adverse impact on our school system and our budget. Add to the mix President Obama's just-announced two-year freeze on federal salaries,

which will also adversely affect county tax revenue.

The current estimate of next year's gap is approximately \$300 million. Public Safety departments, Health & Human Services, and Transit are being asked by the County Executive to propose reductions totaling 5 percent from this year's budget. All non-Public Safety departments are to propose reductions totaling 15 percent. These suggested reductions are starting points and may be adjusted by the Council as conditions change or as policy decisions are made and refined. Given all the cuts we already have made over the past four years -- make no mistake about it -- these reductions will be very painful. There will be things County government must do differently and there may be things we do not do at all. I will continue to communicate with you on the budget because there are hard choices ahead and we need to be as united as possible as we make these decisions together.

Structural Deficit Plan

In recent weeks, the Council received two separate briefings from the [Office of Legislative Oversight](#) (OLO) on the County's structural deficit. OLO was tasked with examining the major cost drivers and other factors that comprise a growing deficit each fiscal year. As many other local and state governments are discovering, the costs of health care and pensions are proving to be unsustainable. Adjustments clearly will be needed going forward. I am grateful for OLO's tremendous work and I believe I speak for myself and my colleagues on the Council when I say the findings of this report will help inform the decisions that we make regarding our Fiscal Year 2012 budget. The County Executive will send over his proposed version of the FY12 Budget on March 15, 2011.

To read OLO's report, titled *Achieving a Structurally Balanced Budget in Montgomery County*, click [here](#). Click [here](#) for (the much shorter!) executive summary.

Snow Briefing from the Department of Transportation

The T&E Committee has received a briefing from our Department of Transportation, the State Highway Administration and Pepco on their snow readiness. It is clear to me that much has been learned from the problems of last winter. My hope is for a much smoother delivery of services this winter.

The Committee got a preview of the [completely new County snow mapping system](#) that has now been launched. It is a GIS system with more Google-like features that has much more information and should be able to give real time updates on the progress of clearing streets. I have been assured that streets that were not in the system last winter have been identified and are in the new upgraded map. Plow routes have been reconfigured in order to provide a better response with the correct kind of equipment.



Navigational systems will be in each truck so that drivers will be guided smoothly through neighborhoods without missing streets. This information will then be provided to the Central Command Center who will oversee operations and be able to communicate with other jurisdictions, with Pepco and with all of us. At the onset of a major storm, 1000 miles of main and emergency roads will be pre-treated with a salt brine mixture. All materials needed are in place, a Snow Summit was held to dry run the systems, and contractors have been briefed and tested.

Will all this result in a quicker response? I have not been promised that. But the County does believe that the new plans will optimize efficiencies and give people real information. You will, for instance, be able to read on the maps where streets have been plowed so if you need to get out, you can map out a successful route. Pepco's maps and the County's maps can now be integrated. I have been assured that

areas with power outages can be prioritized for plowing so that people without electricity can leave their homes if necessary.

People have asked for accurate and real time information. I believe the new system can deliver that. As a general rule the County has indicated that compete clearing can take:

16 hours in a 3 inch storm
30 hours in a 10 inch storm
48 hours in a 15 inch storm
60 hours in a 24 inch storm

What we had last winter was back-to-back blizzards that did not allow the County to complete the work of one storm before dealing with the next onslaught. I have been assured that the chance of missing streets has been greatly reduced and the quality, quantity and timeliness of information has been greatly enhanced.

Your best protection is preparedness. Make sure you have food, water, medicines and emergency contingent plans. [Pepco's website](#) has great information on how to be better prepared. You can also stay connected by alerts to your email or cell phone through [Alert Montgomery](#) for emergency weather information and [AlertMCPS](#) for updates on school closures and delays.

Chevy Chase Lake Sector Plan

The Planning Department has begun the process of developing the [Chevy Chase Lake Sector Plan](#), which will kick off with a series of mediator-facilitated meetings. Below is the Planning Department's announcement. If you live in or around the area, I hope you'll consider attending.



Montgomery County planners are drafting a plan for Chevy Chase Lake. While still in the early stages, the sector plan will encourage a walkable community with better public spaces, neighborhood connections and more diversity in residential, retail, and commercial uses - all related to the proposed Purple Line station.

You can inform our ideas! Planners, aided by professional facilitators, will host a series of community meetings in the new year. Please come and let us know what you want to see in a future Chevy Chase Lake.

Monday, January 10, 2011, 7-9 p.m.

Presentations by the Chevy Chase Land Company, the Howard Hughes Medical Institute, and the Montgomery County Housing Opportunities Commission, among others, with questions to follow.

Wednesday, February 2, 2011, 7-9 p.m.

Visioning presentations from the larger Chevy Chase Lake community.

Meetings will be held at Park and Planning Headquarters, 8787 Georgia Avenue, Silver Spring. Each meeting will be webcast live and recorded for viewing later. Learn more at:

<http://www.montgomeryplanning.org/community/chevychaselake>.

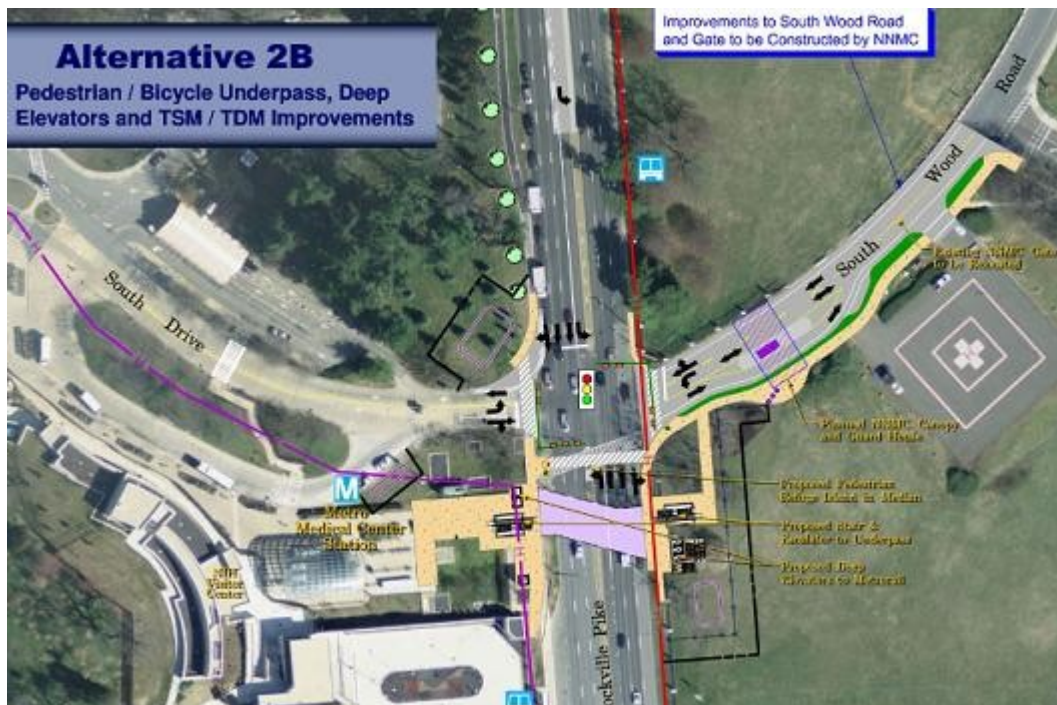
For more information, please contact Elza Hisel-McCoy at 301.495.2115 or elza.hisel-mccoy@montgomeryplanning.org.

BRAC Planning Moves Forward, But Funding Remains Uncertain

Montgomery County's Department of Transportation has been [engaged in a study](#) to look at needed improvements for the movement of the traveling public between the west and east sides of MD 355/Rockville Pike at its intersection with South Wood Road and South Drive in Bethesda. This is at the entrances to the National Institutes of Health and the new National Navy Medical Center (NNMC). Specifically, the Department was investigating ways to enhance/improve access to mass transit facilities and improve the mobility and safety of pedestrians and bicyclists crossing MD 355/Rockville Pike. In addition, the Department looked for ways to improve traffic operations at the existing intersection of South Wood Road/South Drive/MD 355.

On November 23, after public hearing and comment, Alternative 2B (see below) was identified as the preferred alternative by a consensus among Montgomery County Department of Transportation, Maryland State Highway Administration and other stakeholder representatives. Alternative 2B calls for the construction of a shallow pedestrian tunnel beneath Rockville Pike and deep elevators on the east side of Rockville Pike connecting the Medical Center Metro rail station mezzanine to street level. These will complement the existing metro elevators on the west side of Rockville Pike and allow rail users to benefit from direct access between the Metro rail station mezzanine and South Wood Road without crossing Rockville Pike at grade. Bus patrons, pedestrians, and bicyclists would benefit by having the ability to travel between NIH and NNMC without crossing Rockville Pike at grade. Drivers would benefit by the relocation of some pedestrian and bicyclist movements from the surface to below the grade of the road, according to the staff report.

Alternative 2B best promotes transit use over auto use by substantially reducing pedestrian travel time to Metro rail, Metro bus, Ride On, and the NNMC Shuttle and providing the opportunity for all pedestrians/bicyclists crossing Rockville Pike to avoid conflicts with vehicles. Alternative 2B is the only alternative that improves emergency evacuation from the Medical Center Station.



Funding for these improvements remains unclear. The Planning Board has indicated that if splitting the project into two actions is necessary for funding reasons, the elevators should be addressed ahead of the tunnel. The elevators will have a larger impact on reducing the number of pedestrians and bicyclists crossing at grade thus increasing safety and mobility for all.

At this time final actions on Congressional funding for the Federal government are still unresolved. Our Team Maryland representatives have made a very strong effort to secure BRAC monies but as of today there is no Bethesda BRAC funding in the spending bill the Senate will vote on tomorrow and send back to the House. This bill will extend current FY2010 federal government funding for another 10 weeks (into early March), but it contains very little new funding and doesn't address any of the FY2011 appropriations bills that Congress could have passed three months ago.

But it isn't over - the new Congress will take up FY2011 appropriations when it convenes in January and should complete that legislation in February or early March. I know Team Maryland will be in there fighting to secure the dollars needed to address and mitigate the impacts of the base expansion.

Arbitration Legislation

Recently the Council unanimously approved [Expedited Bill 57-10](#) that requires an arbitrator to place the highest priority on the County's ability to afford labor contracts before evaluating other factors traditionally used in arbitration decisions. Council President Valerie Ervin proposed the legislation, which I co-sponsored.

There are three separate laws that govern the County's collective bargaining with the unions representing police, firefighters and general government employees. All resolve an impasse through arbitration where the arbitrator selects the entire final offer submitted by either the County or the union.

Under current law, the arbitrator makes an award after considering six factors. These include: past contracts and bargaining history; the wages, hours, benefits, and conditions of employment of other County employees, public employees in the region and the State, and the County's private sector; the interest and welfare of the public; and the County's ability to pay for any changes. Current County law gives none of these factors greater weight than any other.

An arbitrator's assessment of final competing offers should be grounded in the reality of the severe short-term and long-term budget pressures the County faces. The approved bill requires an arbitrator to give the highest priority to the County's ability to pay for additional short-term and long-term expenditures by considering:

- the limits on the County to raise taxes under State law and the County Charter
- the added burden on County taxpayers
- the County's ability to continue to provide the standard level of all public services

I believe this law makes a needed adjustment that ensures that the process more adequately takes into account the needs of taxpayers when considering labor agreements.

Odds and Ends

Bradley Boulevard Improvements: The time for public comment on the Bradley Boulevard Improvements Study has been extended until January 12, 2011. Currently there are four options:

1. *No build* - no improvements will be made to Bradley Blvd.
2. *Alternative 4C* - Sidewalk on north side of Bradley Blvd. while providing consistent bikeable shoulders.
3. *Alternate 4B* - Sidewalk on both sides of Bradley Blvd. while providing consistent bikeable shoulders.
4. *Alternate 4A* - Eight foot shared use path on north side and sidewalk on south side of Bradley Blvd. while providing consistent bikeable shoulders.

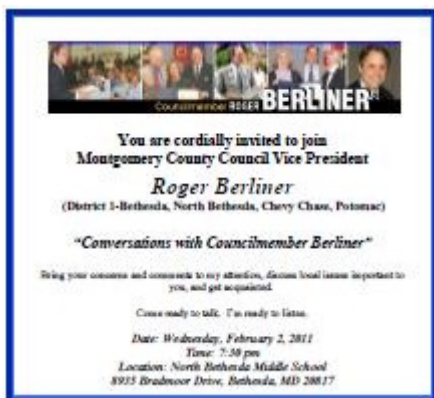
For more info, including how to weigh in, click [here](#).

The Marcum Investigation Continues: The driver of the stolen vehicle belonging to Sue Ann Marcum, the American University professor who was murdered in her home in October, was extradited from the District of Columbia to Montgomery County late last month so that Montgomery County police could continue to investigate his possible relationship to Marcum's homicide. The full press release can be found [here](#).

Water Quality Advisory Group Seeks Applicants

The County Executive is seeking applicants to fill two vacancies on the Water Quality Advisory Group. Applicants may be from one of the following communities: academic and scientific, agricultural, or business, or from the public-at-large. The 15 voting members and 3 non-voting agency members provide recommendations to the County Executive and County Council each year on issues related to the County's water quality goals, objectives, policies and programs.

Members serve three-year terms without compensation, but are eligible for reimbursement for travel and dependent care for meetings attended. Meetings are usually held the second Monday evening of each month at the Department of Environmental Protection, 255 Rockville Pike, #120, Rockville. More information about the Water Quality Advisory Group and recent activities can be found [here](#).



Next 'Conversations with Councilmember Berliner'

I am hosting my next District 1 Public Forum on February 2 at North Bethesda Middle School at 7:30PM. I will have updates on some of the major issues before the Council, but mostly I'd like to hear what is on your mind. If you've got something you'd like to talk about, I hope you will consider attending. Click [here](#) for the full-size flyer, which includes directions.

Calling All Community Leaders

Civic and Homeowner Associations: In order to disseminate timely information that may be useful to your communities and neighborhoods, we would like to keep a comprehensive and updated database of District 1 civic and homeowners associations. Please help us by calling 240-777-7828 or emailing us at councilmember.berliner@montgomerycountymd.gov anytime with the name of your organization, the current president's name, e-mail address, street address and phone number. We promise to use the contact information judiciously and will not share it with any other parties.

My Office

Thank you for your trust, and please let me know what I can do for you. It is truly a privilege to do this work, and I thank you for the opportunity.

As always, my staff and I look forward to hearing from you and to seeing you at community events. **Cindy Gibson** is my Chief of Staff and handles land use and transportation issues for me; **Susan Buffone** works primarily on energy and environmental issues; **Lou D'Ovidio** follows Public Safety and Governmental Operations and Fiscal Policy Committee issues; **Chad Bolt** focuses on Education Committee, Health & Human Services Committee, park, and recreation issues; and **Ben Wolff** handles constituent service, manages my busy calendar, and is the friendly voice on the other end of the phone when you call our office. All of them will try to facilitate your interaction with County government in any

way that they can.

Roger Berliner
Councilmember
District 1



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